

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29TH SESSION:
COUNCIL - PART I**

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to council@isa.org.jm.

1. Name of Working Group:

IWG ENV

2. Name(s) of Delegation(s) making the proposal:

Federal Republic of Germany

3. Please indicate the relevant provision to which the textual proposal refers.

DR 61

Red bold text indicate Germany's textual proposals

4. Kindly provide the proposed amendments to the regulation or standard or guideline in the text box below, using the "track changes" function in Microsoft Word. Please only reproduce the parts of the text that are being amended or deleted.

Regulation 61

Post-closure monitoring

1. A Contractor shall implement the Final Closure Plan in accordance with Best Environmental Practices and Good Industry Practice and shall report to the Secretary-General on the progress of such implementation on an [annual] [two year] basis [after an initial 5 year period] [or on a case-by-case basis agreed by the Council on recommendation from the Commission]. This report shall include a summary of the results of monitoring, conducted in accordance with the applicable Standard and pursuant to the post closure monitoring programme, and management actions taken in response to any adverse Environmental Effects identified through monitoring, until completion of execution of the Final Closure Plan.

1 alt. A Contractor shall implement the Final Closure Plan and shall report to the Secretary-General on the progress of such implementation, including a summary of the results of monitoring, conducted in accordance with the applicable Standard and pursuant to the monitoring programme, and management actions taken in response to any adverse Environmental Effects identified through monitoring, until completion of execution of the Final Closure Plan. Such report will be submitted in accordance with the following schedule: on annual basis during the first

[three] [five] years after cessation of mining activity, on two year basis during the next [six] [four] years, on five yearly basis during the remaining term of the Closure Plan. This schedule can be corrected in agreement with the Council on recommendation from the Commission.

2. The Contractor shall continue to monitor the Marine Environment for a minimum of [such period] [X years] after the cessation of activities, or until the closure objectives have been achieved, as set out in the Closure Plan and for the duration provided for in the Standards and taking into account Guidelines.

2 bis. Monitoring data shall be released publicly in an accessible format according to the relevant Standard and taking into account Guidelines in intervals defined in the Final Closure Plan according to the Standard ~~in intervals defined in the Standard~~ adhering to internationally recognized data principles, consistent with Best Scientific Practices, ~~in monthly intervals~~ [in annual intervals] ~~at intervals appropriate to the monitoring schedule~~

5. Please indicate the rationale for the proposal. [150-word limit]

- We would not support an initial 5 year period without reporting and therefore propose deletion of the respective wording in square brackets in Para 1. Regarding the frequency of reports, we are, for the time being, flexible whether this will best be required annually or biannually.
- We support the wording (“minimum period”) in Para 2 as the monitoring period will need to be flexible, depending on the development of environmental effects detected.